

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Patentee : Davis et al.
Control No. : 90/009,469
Filed : January 17, 1995
Title : ROTATIONAL CONTROL APPARATUS
Patent No. : 5,636,719
Issued : June 10, 2010
Docket No. : H550.18-0004

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner For Patents
ATTN: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

FILED VIA EFS WEB
June 18, 2010

In conformity with the notice appearing in the May 6, 1969 Official Gazette, the Patent Owner requests a Certificate of Correction in connection with the above-identified patent.

Form PTO-1050 entitled CERTIFICATE OF CORRECTION setting out the errors has been completed and is enclosed. The Patent Owner respectfully requests that the enclosed Certificate be approved and signed by an Attesting Officer, and that a copy be returned to the Patent Owner's attorney for attachment to the original Certificate of Letters Patent. The Commissioner is authorized to charge any fees required with this Request to Deposit Account No. 11-0982, since at least some of the errors requested to be corrected were the Patent Owner's errors.

Attached hereto as Exhibit A is a true and correct copy of the Amendments to the Claims filed with the Amendment of February 4, 2010 (with accompanying EFS Acknowledgement Receipt) and downloaded from PAIR that unequivocally supports the assertion of a printing error of claim 46 at column 4, line 26 of the Ex Parte Reexamination Certificate. Also included in Exhibit A

is a Notice of Intent to Issue Ex Parte Reexamination Certificate dated February 25, 2010 showing that the Examiner entered the Amendment of February 4, 2010.

Attached hereto as Exhibit B is a copy of the cover page of U.S. Patent No. 5,636,719 listing the assignee as Horton, Inc. of Minneapolis, Minn. The Patent Owner submits that the change in assignee reflected in the Ex Parte Reexamination Certificate from the assignee on the above-mentioned patent was in error. Attached hereto as Exhibit C is the Assignment Record of U.S. Patent No. 5,636,719. The Assignment recorded on May 17, 1995 (reel/frame 007478/0835) reflects a transfer from inventors Davis et al. to Horton Industries, Inc. of Minneapolis, Minn. The Assignment recorded on February 18, 1997 (reel/frame 008357/0090) reflects a transfer from Horton Industries, Inc. to Horton, Inc. of Minneapolis, Minn.

Referring still to Exhibit C, three other assignments were recorded against U.S. Patent No. 5,636,719, each of which the Patent Owner asserts to be erroneous. The Assignment recorded on September 21, 1998 (reel/frame 009472/0001) reflects a transfer from Sylva Company to Syntex (USA) Inc. The Assignment recorded on July 29, 1999 (reel/frame 010121/0451) reflects a transfer from Behringwerke Aktiengesellschaft to Behring Diagnostics GmbH of Marburg, Germany. The Assignment recorded on July 29, 1999 (reel/frame 010121/0426) reflects a transfer from Behring Diagnostics GmbH to Dade Behring Marburg GmbH of Marburg, Germany. As detailed below, these assignments are unrelated to the chain of title of U.S. Patent No. 5,636,719 and were recorded against the patent due to typographical errors in the recordation cover sheets. Corrective assignment recordation documents were later filed.

Attached hereto as Exhibits D, E, and F are three Cover Sheets for Corrective Assignments related to U.S. Patent No. 5,616,719 and filed pursuant to MPEP §323.01(c). Attached hereto as Exhibit G is the Assignment Record of U.S. Patent No. 5,616,719. The corrective assignments contained in Exhibits D, E, and F cure the above-mentioned erroneous assignments of U.S. Patent No. 5,636,719 as follows:

- Exhibit D—The Corrective Assignment cover sheet for the assignment executed on July 21, 1997 (reel/frame 010121/0451) from Behringwerke Aktiengesellschaft to Behring Diagnostics GmbH corrects the patent number

from U.S. 5,636,719 to U.S. 5,616,719. This conveyance is reflected in the Assignment Record of U.S. Patent No. 5,616,719 at reel/frame 021754/0194.

- Exhibit E—The Corrective Assignment cover sheet for the assignment executed on September 29, 1997 (reel/frame 009472/0001) from Sylva Company to Syntex (USA) Inc. corrects the patent number from U.S. 5,636,719 to U.S. 5,616,719. This conveyance is reflected in the Assignment Record of U.S. Patent No. 5,616,719 at reel/frame 021754/0169.
- Exhibit F—The Corrective Assignment cover sheet for the assignment executed on February 17, 1998 (reel/frame 010121/0426) from Behring Diagnostics GmbH to Dade Behring Marburg GmbH corrects the patent number from U.S. 5,636,719 to U.S. 5,616,719. This conveyance is reflected in the Assignment Record of U.S. Patent No. 5,616,719 at reel/frame 021754/0273.

As previously noted, the erroneous assignments of U.S. Patent No. 5,636,719 have been cured by the above-mentioned corrective assignments related to U.S. Patent No. 5,616,719. The Patent Owner respectfully submits that any further errors are either of a clerical nature, of a typographical nature, or are a mistake of minor character and do not constitute new matter nor require reexamination pursuant to 35 U.S.C. §255.

The Commissioner is authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 11-0982.

Respectfully submitted,
KINNEY & LANGE, P.A.

Date: June 18, 2010

By: /Austen Zuege/
Austen Zuege, Reg. No. 57,907
THE KINNEY & LANGE BUILDING
312 South Third Street
Minneapolis, MN 55415-1002
Telephone: (612) 339-1863
Fax: (612) 339-6580

AZ:kmm